

Congress of the United States
Washington, DC 20515

June 21, 2013

The Honorable Chuck Hagel
Secretary of Defense
The Department of Defense
Washington, D.C. 20301

Dear Secretary Hagel:

We are writing to express our concern about the determination that civilian workers at entities funded through Defense Working Capital funds are subject to furloughs. It appears that there are substantial legal and economic questions surrounding the decision to impose furloughs on these employees.

We request an explanation as to whether the Department considers civilian employees at Working Capital fund entities to be "indirectly funded Government employees of the Department of Defense," as defined in 10 USC 129. If so, we further request an explanation of the legal justification the Department is using to impose furloughs on these civilian workers, despite the explicit protections afforded them under this statute.

Furthermore, while the Department sought to alleviate a shortfall in its operating funds for fiscal year 2013, we request the Department clarify its rationale in determining that furloughing these workers would reduce its operating expenses. Specifically, please provide the Department's estimate of the reduction in FY 2013 spending as a result of furloughing civilian workers at entities funded through Working Capital funds.

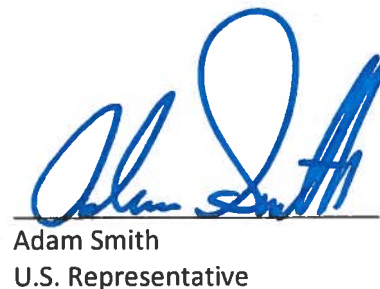
We are concerned that, in addition to the loss of pay these civilian employees now face and the subsequent impact this will have on our local communities, moving forward with these furloughs will reduce the ability of our civilian workforce to complete workload which is already funded. Further restricting available workforce resources will result in mission delays, eventual overtime, and greater cost to the Department and taxpayers.

We respectfully request your prompt attention to this important issue.

Sincerely,



Derek Kilmer
U.S. Representative



Adam Smith
U.S. Representative



Scott Rigell
U.S. Representative



Tom Cole
U.S. Representative



Betty McCollum
U.S. Representative




Dave Loebsack
U.S. Representative



Rob Bishop
U.S. Representative



Walter Jones
U.S. Representative



James Lankford
U.S. Representative



Austin Scott
U.S. Representative



Tom Marino
U.S. Representative



Mo Brooks
U.S. Representative



Mike Rogers
U.S. Representative



Cheri Bustos
U.S. Representative



Blake Farenthold
U.S. Representative



Bill Shuster
U.S. Representative




Matt Cartwright
U.S. Representative



Lou Barletta
U.S. Representative



Tim Griffin
U.S. Representative



James McGovern
U.S. Representative



Tom Cotton
U.S. Representative



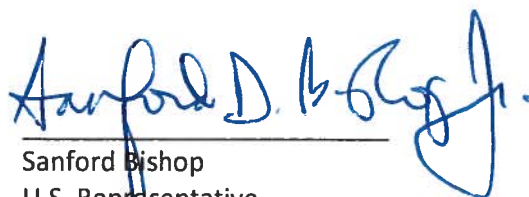
Todd Young
U.S. Representative



Mike Turner
U.S. Representative



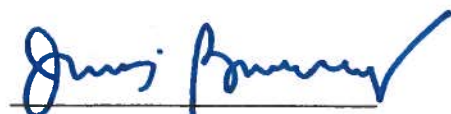
Filemon Vela
U.S. Representative



Sanford Bishop
U.S. Representative



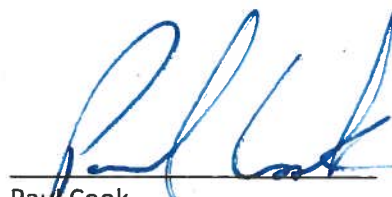
Emanuel Cleaver
U.S. Representative



Julia Brownley
U.S. Representative



Ralph Hall
U.S. Representative



Paul Cook
U.S. Representative



Markwayne Mullin
U.S. Representative

A handwritten signature in blue ink, reading "Paul W. Tonko", with a long horizontal flourish extending to the right.

Paul Tonko
U.S. Representative